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Mr Jason Maslen
Team Leader, School Infrastructure Assessments
NSW Department of Planning, Industry and Environment
320 Pitt Street
Sydney NSW 2000

Dear Jason,

RESPONSE TO REQUEST FOR ADDITIONAL INFORMATION: SANTA SOPHIA CATHOLIC COLLEGE (SSD 9722)

This letter has been prepared on behalf of Catholic Education Office Diocese of Parramatta (CEDP) in response to NSW Department of Planning, Industry and Environment's (DPIE) request for additional information of 28 November 2019. DPIE has requested an assessment of the proposed child care centre against the requirements of Part 3 of *State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017* (ESEPP) and the Child Care Planning Guideline 2017 (Guidelines).

Our assessment against the relevant provisions of the ESEPP and the relevant Guidelines are provided in the tables below:

- Table 1: Compliance with *State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017*.
- Table 2: Compliance with Child Care Planning Guideline 2017.
- Table 3: Compliance with National Quality Framework Assessment Checklist.

Table 1 – Compliance with *State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017*.

Clause	Proposal	Compliance
Part 3 Early education and care facilities—specific development controls		
22 Centre-based child care facility – concurrence of Regulatory Authority required for certain development		
(1) This clause applies to development for the purpose of a centre-based child care facility if:	Indoor unencumbered space: <ul style="list-style-type: none">• Number of children: 60	Yes Concurrence of Regulatory

Clause	Proposal	Compliance
<p>(a) the floor area of the building or place does not comply with regulation 107 (indoor unencumbered space requirements) of the Education and Care Services National Regulations, or</p> <p>(b) the outdoor space requirements for the building or place do not comply with regulation 108 (outdoor unencumbered space requirements) of those Regulations.</p>	<ul style="list-style-type: none"> Required unencumbered indoor area: 195sqm (being 3.25sqm per child) Provided area: 220 sqm <p>Outdoor unencumbered space:</p> <ul style="list-style-type: none"> Number of children: 60 Required area: 420sqm Provided area: 589 sqm (approx.) Noting two external areas: <ul style="list-style-type: none"> 395 sqm 194 sqm 	Authority not required.
23 Centre-based child care facility – matters for consideration by consent authorities		
Before determining a development application for development for the purpose of a centre-based child care facility, the consent authority must take into consideration any applicable provisions of the <i>Child Care Planning Guideline</i> , in relation to the proposed development.	Refer to Table 2 and Table 3 in this Appendix for a comprehensive assessment of the proposal against the Child Care Planning Guideline, August 2017.	Yes
24 Centre-based child care facility in Zone IN1 or IN2—additional matters for consideration by consent authorities		
(1) The object of this clause is to minimise land use conflicts with existing developments on surrounding land and to ensure the safety and health of people using or visiting a centre-based child care facility on land in Zone IN1	Not applicable	N/A

Clause	Proposal	Compliance
General Industrial or Zone IN2 Light Industrial.		
25 Centre-based child care facility—non-discretionary development standards		
<p>(1) The object of this clause is to identify development standards for particular matters relating to a centre-based child care facility that, if complied with, prevent the consent authority from requiring more onerous standards for those matters.</p> <p>2) The following are non-discretionary development standards for the purposes of section 4.15(2) and (3) of the Act in relation to the carrying out of development for the purposes of a centre-based child care facility—</p> <p>(a) location—the development may be located at any distance from an existing or proposed early education and care facility,</p> <p>(b) indoor or outdoor space</p> <p>(i) for development to which regulation 107 (indoor unencumbered space requirements) or 108 (outdoor unencumbered space requirements) of the Education and Care Services National Regulations applies—the unencumbered area of indoor space and the unencumbered area of outdoor</p>	The proposal complies with these non-discretionary standards.	Yes

Clause	Proposal	Compliance
<p>space for the development complies with the requirements of those regulations, or</p> <p>(ii) for development to which clause 28 (unencumbered indoor space and useable outdoor play space) of the Children (Education and Care Services) Supplementary Provisions Regulation 2012 applies—the development complies with the indoor space requirements or the useable outdoor play space requirements in that clause,</p> <p>(c) site area and site dimensions—the development may be located on a site of any size and have any length of street frontage or any allotment depth,</p> <p>(d) colour of building materials or shade structures—the development may be of any colour or colour scheme unless it is a State or local heritage item or in a heritage conservation area.</p> <p>(3) To remove doubt, this clause does not prevent a consent authority from—</p> <p>(a) refusing a development application in relation to a matter not specified in subclause (2), or</p> <p>(b) granting development consent even though any standard specified in subclause (2) is not complied with.</p>		
26 Centre-based child care facility—development control plans		

Clause	Proposal	Compliance
<p>This clause identifies that the provisions of any development control plan that set out requirements, standards or controls in relation to:</p> <ul style="list-style-type: none"> (a) operational or management plans or arrangements (including hours of operation), (b) demonstrated need or demand for child care services, (c) proximity of facility to other early education and care facilities, (d) any matter relating to development for the purpose of a centre-based child care facility contained in— <ul style="list-style-type: none"> (i) the design principles set out in Part 2 of the <i>Child Care Planning Guideline</i>, or (ii) the matters for consideration set out in Part 3 or the regulatory requirements set out in Part 4 of that Guideline (other than those concerning building height, side and rear setbacks or car parking rates). <p>does not apply to development for the purpose of a centre-based child care facility—</p>	<p>The objective of this clause is to avoid duplication in the assessment of applications for centre-based child care centres. As the proposal is SSDA it is exempt from the provisions of any development control plan. The CELC has been appropriately assessed against the provisions of the ESEPP 2017.</p>	Noted.
57 Traffic-generating development		
<p>(1) This clause applies to development for the purpose of an educational establishment:</p>	<p>RMS have been consulted as part of the exhibition on the proposed development.</p>	

Clause	Proposal	Compliance
<p>(a) that will result in the educational establishment being able to accommodate 50 or more additional students, and</p> <p>(b) that involves:</p> <p>(i) an enlargement or extension of existing premises, or</p> <p>(ii) new premises,</p> <p>on a site that has direct vehicular or pedestrian access to any road.</p> <p>(2) Before determining a development application for development to which this clause applies, the consent authority must:</p> <p>(a) give written notice of the application to Roads and Maritime Services (RMS) within 7 days after the application is made, and</p> <p>(b) take into consideration the matters referred to in subclause (3).</p>	<p>Responses to all matters raised by the RMS is provided in the Supplementary Traffic Statement provided as Appendix B to the Response to Submissions Report.</p>	

Table 2 – Compliance with Part 3 of the Child Care Facilities Planning Guideline August 2017

Matters for consideration	Proposal	Compliance
3.1 Site selection and location		
Objective: To ensure that appropriate zone considerations are assessed when selecting a site.	An acoustic assessment was undertaken of the Catholic Early Learning Centre (CELC) at full capacity during outdoor play times. The assessment has assumed children with raised and loud voices, and was	Yes

Matters for consideration	Proposal	Compliance
<p>For proposed developments in or adjacent to a residential zone, consider:</p> <ul style="list-style-type: none"> • The acoustic and privacy impacts of the proposed development on the residential properties. • The setbacks and siting of buildings within the residential context. • Traffic and parking impacts of the proposal on residential amenity. 	<p>assessed at the closest residential receiver. There is 15m between the south western play area of the CELC and the nearest residential receiver. The resultant noise level criterion at the closet receiver is 66dB(A) for children with loud voices (worst case scenario).</p> <p>For the day-time period scenario, the predicted $L_{Aeq,15min}$ noise level from the use of the outdoor playground area at the nearest residential receiver is 55dB(A), a marginal exceedance (by 1 dB(A)) of the noise level criteria set by the Guideline for Childcare Centre Acoustic Assessment' prepared by the Association of Australasian Acoustical Consultants (AAAC). This is not considered to be a significant exceedance for the purpose of this noise assessment.</p> <p>Due to a more stringent night-time noise criterion applying after 6pm, it is recommended that use of the outdoor area cease by this time to ensure compliance.</p> <p>The traffic and parking impacts of the CELC have been assessed cumulatively with the broader school development. Through the implementation of the recommended mitigation measures the surrounding road network (including key intersections) will operate at good or satisfactory levels of service.</p>	

Matters for consideration	Proposal	Compliance
	<p>110 parking spaces for staff from the school (104 spaces) and CELC (6 spaces) will be provided within the town centre in an off-street parking facility. Until the off-site parking facility is delivered, a temporary car park will be provided on adjoining land for exclusive use by teachers and school staff.</p> <p>The assessment of the car parking provision found the quantum of parking provided is appropriate for the proposed development.</p>	
<p>Objective: To ensure that the site selected for a proposed child care facility is suitable for the use.</p>	<p>The CELC is co-located with the K-12 school providing one destination for child care and educational services for the Catholic community. The site is within the Gables Town Centre and future surrounding uses will be residential, mixed use and sporting fields. The site has appropriate setbacks from adjoining residential areas.</p> <p>A safe and separate drop off is provided for the CELC. This is provided through the private road accessed from Red Gables Road.</p> <p>Flooding - The site is located well above the probably maximum flood level (PMF) and the proposal will not generate unacceptable flood impacts for future users.</p> <p>Bushfire - EcoLogical have assessed the site against the requirements for SFPP developments and concluded</p>	<p>Yes</p>

Matters for consideration	Proposal	Compliance
	<p>that the SSD complies with various measures listed within the Planning for Bush Fire Protection 2006. development can be issued with A Bushfire Safety Authority.</p> <p>Contamination – A Phase 2 Detailed Site Investigation (DSI) has been undertaken for the broader Box Hill North area, including the site. The DSI found that there are no indications of gross or widespread contamination issues on the site. The site can be made suitable for the proposed use and a site-specific RAP is not required.</p>	
Objective: To ensure that sites for child care facilities are appropriately located.	<p>The childcare centre is collocated with the school. It is within the Gables Town Centre close to playing fields, and future retail, commercial and community facilities.</p> <p>The site will be accessible by pedestrians and served by future bus routes.</p>	Yes
Objective: To ensure that sites for child care facilities do not incur risks from environmental, health or safety hazards.	<p>There are no sites with environmental, health or safety hazards located near the subject site.</p> <p>The site can be made suitable for the proposed use and a site-specific RAP is not required.</p>	Yes
3.2 Local character, streetscape and the public domain interface		
Objective: To ensure that the child care facility is compatible with the	The CELC is integrated into the design of the new school. The design of the school responds to its setting within the	Yes

Matters for consideration	Proposal	Compliance
local character and surrounding streetscape.	Gables Town Centre. The height and scale of the school is appropriate within the context of the future residential blocks proposed in its immediate surrounds.	
Objective: To ensure clear delineation between the child care facility and public spaces.	<p>The CELC will be appropriately fenced to ensure child safety and security.</p> <p>Staff have clear sight lines to all play areas in and around the childcare building.</p> <p>Landscaping will be maintained in ensure sight lines are maintained.</p>	Yes
Objective: To ensure that front fences and retaining walls respond to and complement the context and character of the area and do not dominate the public domain.	Secure boundary fencing will provide appropriate security while being visibly permeable.	Yes
3.3 Building orientation, envelope and design		
Objective: To respond to the streetscape and site, while optimising solar access and opportunities for shade.	The CELC is integrated into the new school. The CELC includes covered and uncovered areas of open space designed to maximise natural light.	Yes
Objective: To ensure that the scale of the child care facility is compatible with adjoining development and the impact on adjoining buildings is minimised.	The CELC is integrated into the new school so there is no change to the relationship to existing and future residential buildings to the east of site.	Yes
Objective: To ensure that setbacks from the boundary of a child care facility are consistent with the predominant development within the immediate context.	The CELC is proposed within a new school and a new town centre. As such, there is no existing pattern of setbacks. The design provides	Yes

Matters for consideration	Proposal	Compliance
	appropriate setbacks and separation distances to suit the future context.	
Objective: To ensure that the built form, articulation and scale of development relates to its context and buildings are well designed to contribute to an area's character.	The design provides appropriate setbacks and separation distances to suit the future context and contribute to the area's character.	Yes
Objective: To ensure that buildings are designed to create safe environments for all users.	The CELC building was designed to ensure a safe environment was created for children, staff and visitors, including appropriate fencing and staff having clear sight lines to all play areas in and around the childcare building.	Yes
Objective: To ensure that child care facilities are designed to be accessible by all potential users.	The CELC building provides accessibility to all users and is compliant with relevant DDA requirements.	Yes
3.4 Landscaping		
Objective: To provide landscape design that contributes to the streetscape and amenity.	The landscape design addresses the location within the town centre and provides a landscape interface to future development to the south. Refer to the Landscape Plan prepared by Ground Ink at Appendix H.	Yes
3.5 Visual and acoustic privacy		
Objective: To protect the privacy and security of children attending the facility.	The CELC is located away from public view. The design of the outdoor play areas is such that they will not be overlooked by adjoining future development. Indoor spaces are generally oriented away from public	Yes

Matters for consideration	Proposal	Compliance
	spaces and are well setback from public roads to maintain privacy.	
Objective: To minimise impacts on privacy of adjoining properties.	The CELC building is one storey high therefore overlooking into future residential dwellings will not occur.	Yes
Objective: To minimise the impact of child care facilities on the acoustic privacy of neighbouring residential developments.	Refer to comments in Table 2 of this letter.	Yes
3.6 Noise and air pollution		
Objective: To ensure that outside noise levels on the facility are minimised to acceptable levels.	The site is not located near any source of noise that will impact on the amenity and well-being of the children and staff.	Yes
Objective: To ensure air quality is acceptable where child care facilities are proposed close to external sources of air pollution such as major roads and industrial development.	The site is not located near any source of air pollution that will impact on the amenity and well-being of the children and staff.	Yes
3.7 Hours of operation		
Objective: To minimise the impact of the child care facility on the amenity of neighbouring residential developments.	The proposed hours of operation 6am to 6pm Monday to Friday are consistent with the core hours listed in the Guidelines, with the earlier start time reflecting the need for increased flexibility in the provision of child care services. The hours of operation are compatible with the surrounding mixed use context and considered appropriate in the setting.	Yes

Matters for consideration	Proposal	Compliance
3.8 Traffic, parking and pedestrian circulation		
Objective: To provide parking that satisfies the needs of users and demand generated by the centre.	<p>6 parking spaces for staff from the CELC will be provided within the town centre in an off-street parking facility. There are also 10 on-site CELC drop off / pick spaces off the driveway that is accessed from Red Gables Road.</p> <p>Until the off-site parking facility is delivered, a temporary car park will be provided on adjoining land for exclusive use by teachers and school staff.</p> <p>The car parking arrangement and car parking provision is appropriate for the quantum of childcare spaces provided.</p>	Yes.
Objective: To provide vehicle access from the street in a safe environment that does not disrupt traffic flows.	Site access is provided as forward in and forward out via the driveway from Future Road B. There will be a dedicated 10 space drop-off and pick-up point for the CELC.	Yes
Objective: To provide a safe and connected environment for pedestrians both on and around the site.	Pedestrian travel paths from the car park to the building has been designed to ensure safety of users including dedicated footpaths and the use of paving materials to indicate pedestrian priority areas.	Yes

Table 3 – Compliance with National Quality Framework Assessment Checklist

Regulation	Proposed	Compliance
104. Fencing or barrier that encloses outdoor spaces.	The CELC grounds will be enclosed by a fence as shown on the architectural and landscape drawings.	Yes

Regulation	Proposed	Compliance
Outdoor space that will be used by children will be enclosed by a fence or barrier that is of a height and design that children preschool age or under cannot go through, over or under it.	Height: 1.8m (approx.) Materials: metal palisade with small opening between each vertical pale.	
106. Laundry and hygiene facilities The proposed development includes laundry facilities or access to laundry facilities.	Laundry facilities are proposed to be provided on site.	Yes
107. Unencumbered indoor space The proposed development includes at least 3.25 square metres of unencumbered indoor space for each child.	Number of children: 60 Required area: 195sqm Provided area: 220 sqm	Yes
108. Unencumbered outdoor space <i>The proposed development includes at least 7.0 square metres of unencumbered outdoor space for each child</i>	Number of children: 60 Required area: 420sqm <ul style="list-style-type: none"> Provided area: 589 sqm (approx.) Noting two external areas: <ul style="list-style-type: none"> 395 sqm northern play area 194 sqm southern play area 	Yes
109. Toilet and hygiene facilities The proposed development includes adequate, developmentally and age appropriate toilet, washing and drying facilities for use by children being educated and cared for by the service.	The proposal includes adequate, developmentally and age appropriate toilet, washing and drying facilities for use by children being educated and cared for by the service. Refer to facilities shown on architectural drawings.	Yes
110. Ventilation and natural light	Refer to the floor plans and elevations which indicate the aperture of windows	Yes

Regulation	Proposed	Compliance
<p>The proposed development includes indoor spaces to be used by children that:</p> <ul style="list-style-type: none"> • will be well ventilated; and • will have adequate natural light; and • can be maintained at a temperature that ensures the safety and well-being of children. 	<p>and doorways. Adequate natural light and ventilation will be provided</p>	
<p>111. Administrative space</p> <p>The proposed development includes an adequate area or areas for the purposes of conducting the administrative functions of the service; and consulting with parents of children; and conducting private conversations.</p>	<p>The following administrative space is provided:</p> <ul style="list-style-type: none"> • Reception 16 sqm • Foyer 19 sqm • Kitchen 23 sqm • Office 13.8 sqm • Staff room 68.5 sqm 	Yes
<p>112. Nappy change facilities</p> <p>The proposed development includes an adequate area for construction of appropriate hygienic facilities for nappy changing including at least one properly constructed nappy changing bench and hand cleansing facilities for adults in the immediate vicinity of the nappy change area.</p>	<p>Appropriate space for nappy changing facilities is provided within the CELC.</p>	Yes
<p>113. Outdoor space—natural environment</p> <p>The proposed development includes outdoor spaces that will allow children to</p>	<p>The landscape design for the play space ensures age appropriate outcomes and encourages inquiry, exploration and social interaction. It provides spaces for unstructured and</p>	Yes

Regulation	Proposed	Compliance
explore and experience the natural environment.	free play, to encourage creativity, chance encounter and exploration among the students.	
114. Outdoor space—shade The proposed development includes adequate shaded areas to protect children from overexposure to ultraviolet radiation from the sun.	A large portion of the outdoor play space is a covered verandah area, providing sun protection for the children.	Yes
115. Premises designed to facilitate supervision The proposed development (including toilets and nappy change facilities) are designed in a way that facilitates supervision of children at all times, having regard to the need to maintain the rights and dignity of the children.	Staff have clear sight lines to all play areas in and around the childcare building.	Yes

The above tables demonstrate that the proposal satisfies the relevant legislation and policy documents relating to child care centres. We trust this information satisfies the request for information such that DPIE can finalise its assessment of the SSD. If you have any questions please don't hesitate to contact me at aroff@urbis.com.au.

Yours sincerely,



Elaine Roff
Associate Director